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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/597,780	06/20/2000	Alessandro Cesare Callegari	YOR-9-2000-0010	6159

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EXAMINER

NGUYEN, HOAN C

ART UNIT	PAPER NUMBER
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2871

DATE MAILED: 08/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/597,780

Applicant(s)

CALLEGARI ET AL.

Examiner

HOAN C. NGUYEN

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,4-9,11-20,22,23 and 37-40 is/are pending in the application.
- 4a) Of the above claim(s) 1,4-8,14-20,22,23,38 and 39 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 9, 11-13, 37 and 40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

Applicant's arguments with respect to claim 9, 11-13, 37 and 40 based on the Response filed on 6/9/2006 have been considered but are in the same ground(s) of rejection. Therefore, this is Final action.

This application contains claims 1, 4-8, 14-20, 23-23 and 38-39 drawn to an invention nonelected in the election filed on 11/25/2005. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9, 11-13, 37 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oh et al. (US6665036B2) in view of Kim et al. (US006111627A), Hiroshi (US5995186A), and Callegari et al. (US6061114A).

In regard to claims 9 and 37, Oh et al. teach (Fig. 3A-B) a multi-domain liquid crystal display comprising

- a bottom substrate 210 having a first surface;

Art Unit: 2871

- a transparent conductive layer (data electrodes 208 and common electrode 209, thin film transistors and other display circuitry in bottom substrate to form the in-plane switching mode) disposed over said first surface of said bottom substrate.
- a top substrate 211 having a second surface;
- a color filter layer (color filter 229) disposed over a surface of the top substrate;
- a transparent conductive layer 118 disposed over said color filter;
- a first alignment layer 223a over said first transparent conductive layer
- a second alignment layer 223b made of over said second surface; said second alignment layer being spaced adjacent to and facing said first alignment layer;
- a liquid crystal material 230 disposed in the space therebetween;

wherein

However, Oh et al. fail to disclose

- (a) a second transparent conductive layer disposed over the color filter;
- (b) a plurality of uniformly sized spacer 108 distributing within said space;
- (c) the alignment layers made of the dry deposited layers, which are made of material selected from the group consisting of hydrogenated diamond-like carbon, amorphous hydrogenated silicon, silicon carbide (SiC), silicon dioxide (SiO<sub>2</sub>), glass, silicon nitride (Si<sub>3</sub>N<sub>4</sub>), alumina (Al<sub>2</sub>O<sub>3</sub>), cerium(IV) oxide (CeO<sub>2</sub>), tin oxide (SnO<sub>2</sub>), zinc titanate (ZnTiO<sub>2</sub>) and a combination thereof;
- (d) each of said first alignment layer and said second alignment layer made of the dry deposited layers is divided into a plurality of pixels each having a boundary and at least two domains; wherein each of said multi-domain, dry deposited layers is

Art Unit: 2871

obtained by a mechanical mask; said dry deposited layers are exposed to at least a first particle (ion) beam and a second particle (ion) beam, where a first particle beam and a second particle beam use the same ion, which is selected from the group consisting argon, nitrogen, oxygen and a mixture thereof; and a direction of said first particle beam with respect to said dry deposited layer is different than a direction of said second particle beam with respect to said dry deposited layer.

Kim et al. teach (Fig.4) (a) a second transparent conductive layer disposed over the color filter, which is formed on the surface of upper substrate; this second transparent conductive layer used for preventing electrostatics forming on the upper substrate (col. 3 lines 1-3). Kim also discloses the alignment layers 44 and 28.

Hiroshi teaches (Fig. 5) (b) a plurality of uniformly sized spacer 108 distributing within said space for supporting the thickness of liquid crystal layer (col. 5 lines 25-29);

Callegari et al. teach

(c) the alignment layers made of the dry deposited layers, which are made of material selected from the group consisting of hydrogenated diamond-like carbon, amorphous hydrogenated silicon, silicon carbide (SiC), silicon dioxide (SiO<sub>2</sub>), glass, silicon nitride (Si<sub>3</sub>N<sub>4</sub>), alumina (Al<sub>2</sub>O<sub>3</sub>), cerium(IV) oxide (CeO<sub>2</sub>), tin oxide (SnO<sub>2</sub>), zinc titanate (ZnTiO<sub>2</sub>) and a combination thereof for requiring fewer steps and less cost to manufacture (col. 3 lines 51-58);

(d) each of said first alignment layer and said second alignment layer made of the dry deposited layers is divided into a plurality of pixels each having a boundary and

Art Unit: 2871

at least two domains; wherein each of said multi-domain, dry deposited layers is obtained by a mechanical mask 966; said dry deposited layers are exposed to at least a first particle (ion) beam and a second particle (ion) beam, where a first particle beam and a second particle beam use the same ion, which is selected from the group consisting argon, nitrogen, oxygen and a mixture thereof; and a direction of said first particle beam with respect to said dry deposited layer is different than a direction of said second particle beam with respect to said dry deposited layer with the features of claim 11 for resulting multidomain device so that attributing large view angle (col. 6 lines 19-31).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify a multi-domain liquid crystal display as Oh et al. disclosed with (a) a second transparent conductive layer disposed over the color filter, which is formed on the surface of upper substrate; this second transparent conductive layer used for preventing electrostatics forming on the upper substrate (col. 3 lines 1-3) as taught by Kim et al.; (b) a plurality of uniformly sized spacer 108 distributing within said space for supporting the thickness of liquid crystal layer (col. 5 lines 25-29) as taught by Hiroshi; (c) the alignment layers made of the dry deposited layers, which are made of material selected from the group consisting of hydrogenated diamond-like carbon, amorphous hydrogenated silicon, silicon carbide (SiC), silicon dioxide (SiO<sub>2</sub>), glass, silicon nitride (Si<sub>3</sub>N<sub>4</sub>), alumina (Al<sub>2</sub>O<sub>3</sub>), cerium(IV) oxide (CeO<sub>2</sub>), tin oxide (SnO<sub>2</sub>), zinc titanate (ZnTiO<sub>2</sub>) and a combination thereof for requiring fewer steps

Art Unit: 2871

and less cost to manufacture (col. 3 lines 51-58); (d) each of said first alignment layer and said second alignment layer made of the dry deposited layers is divided into a plurality of pixels each having a boundary and at least two domains; wherein each of said multi-domain, dry deposited layers is obtained by a mechanical mask 966; said dry deposited layers are exposed to at least a first particle (ion) beam and a second particle (ion) beam, where a first particle beam and a second particle beam use the same ion, which is selected from the group consisting argon, nitrogen, oxygen and a mixture thereof; and a direction of said first particle beam with respect to said dry deposited layer is different than a direction of said second particle beam with the features of claim 11 for resulting multidomain device so that attributing large view angle (col. 6 lines 19-31).

### ***Response to Arguments***

Applicant's arguments filed on 6/9/2006 have been fully considered but they are not persuasive.

#### **Applicant's ONLY arguments are follows:**

Callegari only discloses a single ion beam exposure to an alignment film to achieve a desired alignment, Callegari does not disclose or suggest "wherein said dry deposited layers are exposed to at least a first particle beam and a second particle beam; wherein a direction of said first particle beam with respect to said dry deposited layers is different than a direction of said second particle beam with respect to said dry deposited layers."

Examiner's responses to Applicants' ONLY arguments are follows:

Application only discloses (Fig. 14a-b) a single ion beam 10 exposure to an alignment film to achieve a desired alignment in different directions. Therefore, application discloses the first and second particle beams are a single ion beam with different directions (page 12 lines 7-14, page 12 line 28 to page 14 line 32, page 21 lines 9-16). Nowhere in application discloses two beams with different ions in different directions.

Callegari also discloses a single ion beam exposure to an alignment film to achieve a desired alignment in different directions (col. 6 lines 29-31).

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.



Art Unit: 2871


Any inquiry concerning this communication or earlier communications from the examiner should be directed to HOAN C. NGUYEN whose telephone number is (571) 272-2296. The examiner can normally be reached on MONDAY-THURSDAY:8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nelms can be reached on (571) 272-1787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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HOAN C. NGUYEN  
Examiner  
Art Unit 2871



DUNG T. NGUYEN  
PRIMARY EXAMINER